

REMARKS

Reconsideration of the subject application in view of the present amendment is respectfully requested.

By the present amendment, claim 1 has been amended. Claim 7 has been added. No new matter is believed entered. As such, it is now respectfully submitted that each of the claims 1-7 are in condition for allowance.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 2002/0166195 to Dahlberg in view of U.S. 6,308375 to Whitney. Amended claim 1 states “characterized in that the fan housing (24) is provided with an opening(31) positioned adjacent to the fan wheel (21) in the fan housing (24) so that air is allowed to leave the fan in case of blocked air stream in the fan housing (24) or blower tube (14).” Neither of the references, either alone or in combination, describe such structure.

In distinction, the Office action alleges that Dahlberg teaches an exit opening 23 in the casing so that heated air is allowed to exit the casing. Specifically, the alleged exit opening in Dahlberg, second opening 23, is provided for the “ventilation of heated air from the inside of the casing 20.” See paragraph [0027]. Dahlberg further teaches an outlet 21 for exhaust gases. However, both the outlet 21 and the second opening 23 are positioned in the casing, as shown in Fig. 4. Consequently, Dahlberg fails to teach “characterized in that the fan housing (24) is provided with an opening(31) positioned adjacent to the fan wheel (21) in the fan housing (24) so that air is allowed to leave the fan in case of blocked air stream in the fan housing (24) or blower tube (14)” as stated in claim 1.

Similarly, Whitney fails to make up for the deficiencies of Dahlberg. The Office action alleges that Whitney teaches a fan 24 comprising a fan housing (23, 20) characterized in that the fan housing is provided with an opening placed somewhere in the fan housing. As shown in Fig. 2, a vent tube 25 is integrally joined to sidewalls 26 along an exhaust conduit 20. The conduit 20 is attached at one end to a blower 24 and at an opposite end to a collector bag 31. However, as is clearly shown in Fig. 2, the vent tube 25 is positioned along the exhaust conduit 20, at a location downstream from the blower 24. Additionally, Whitney provides an explicit teaching away from providing the vent tube 25 in the blower 24. The vent tube 25 is “preferably formed in the curved delivery conduit’s lower wall near the smallest radius of curvature on the “inside” of the curve” which leads to a minimum of scattering debris. See Col. 2, lines 4-6. Whitney therefore fails to teach “characterized in

that the fan housing (24) is provided with an opening(31) positioned adjacent to the fan wheel (21) in the fan housing (24) so that air is allowed to leave the fan in case of blocked air stream in the fan housing (24) or blower tube (14)" as stated in claim 1.

Accordingly, at least for these reasons, Dahlberg in view of Whitney fails to teach the structure of amended claim 1. Applicants respectfully request withdrawal of the corresponding rejection of amended claim 1.

Claims 2-6 depend from independent claim 1 that is believed to be in condition for allowance as set forth above. Accordingly, Applicants respectfully request withdrawal of the corresponding rejection of claims 2-6 as depending directly or indirectly from allowable claim 1.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ABE1-40373.

Respectfully submitted,

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